

7. 2006SP-161U-09

The Crown (Amend. #1)

Map 093-064, Parcels 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075

Subarea 9 (2007)

Council District 6 - Mike Jameson

A request to amend the Crown SP to modify the number of required parking spaces from 1,189 spaces to that required by the CF zoning district, zoned SP and within the Rutledge Hill Redevelopment District (1.58 acres), requested by B S Nashville LLC, applicant, for The Carrell Family LLC, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Amend SP

A request to amend the Crown SP to modify the number of required parking spaces from 1,189 spaces to that required by the Core Frame (CF) zoning district, zoned Specific Plan (SP) and within the Rutledge Hill Redevelopment District (1.58 acres).

Existing Zoning

SP District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base-zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

DOWNTOWN COMMUNITY PLAN

SoBro Neighborhood, Mixed Use Subdistrict

Mixed Use (MU) Policy - The proposed Crown building is within the SoBro neighborhood, in the Mixed Use subdistrict. The MU policy for the subdistrict is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses in MU include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density.

The MU policy calls for development proposals in the policy area to include an Urban Design or Planned Unit Development overlay district or other specific site plan. This ensures appropriate design and that the type of development conforms to the intent of the policy.

The SoBro Neighborhood is intended to be a high-intensity, mixed-use neighborhood emphasizing cultural, entertainment, and residential components while accommodating office uses. Development in SoBro should create a comfortable and lively pedestrian environment for residents of, and visitors to, SoBro. Development in SoBro should create a distinctive, eclectic identity that allows tall buildings with some sheer walls along certain streets, as well as some “stepped back” buildings to create a variety of view sheds and allow for light and air circulation throughout the neighborhood.

Consistent with Policy? - Yes. The amendment does not change anything in the specific plan district other than the parking.

PLAN DETAILS

Site Plan - The amendment to the Crown SP changes the parking requirements from 1,189 spaces to that required by the Core Frame (CF) zoning district. The difference in parking will eliminate a portion of the underground parking. This amendment does not change the height, façade, uses, or square footage of the approved SP.

One of the Guiding Principles of the Downtown Plan is to "Create 'great spaces' throughout Downtown for the enjoyment of citizens and visitors alike." The first chapter summarizes one the ways to meet the intent of that principle as follows:

[T]he Downtown Plan encourages walking as a primary mode of transportation in Downtown. Walking is encouraged in the Downtown Plan by making the walk safe, interesting, and comfortable by having wide sidewalks and, on key streets, requiring active uses on the first floors of buildings, lining parking garages with active uses, and limited entrances into parking structures to avoid pedestrian/auto conflicts. As Downtown becomes home to many of its workers, and mass transit options into Downtown improve, providing welcoming routes for pedestrians will provide benefits in terms of improved mobility and reduced traffic congestion.

This revision to the Crown SP reduces the number of parking spaces, which encourages walking as a primary mode of transportation. Creating a friendly pedestrian environment is a key factor in making Downtown and place to live and work.

Staff Recommendation -Staff recommends approval with conditions.

PUBLIC WORKS RECOMMENDATION- No Exceptions Taken

STORMWATER RECOMMENDATION -Provide the following:

- FEMA Note / Information
- North Arrow & Bearing Information
- Vicinity Map
- Proposed Site Layout (Scale no less than 1" = 100', Contours no greater than 5')
- Add 78-840 Note:
- (Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.)
- Add Preliminary Note:
- (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)
- Add Access Note:
- (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
- Add C/D Note:
- (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
- Existing Topo
- Water Quality Concept

Note: Compensated fill will be required within the floodplain.

CONDITIONS

1. The application, including attached materials, plans, and reports submitted by the applicant and all

adopted conditions of approval shall constitute the amended plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.

2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the CF zoning districts at the effective date of this ordinance, which must be shown on the plan.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Ms. Logan presented and stated that staff is recommending approval with conditions.

Mr. Tom White, 36 Old Club Court, spoke in favor of the proposed amendment.

Mr. Greg Watson, 123 2nd Avenue South, spoke in opposition to the proposed amendment.

Mr. Bernhardt explained in detail the applicant's request to modify the number of parking spaces and the number required in Core Frame zoning districts in relation to the pedestrian use requirements placed on this proposal by the MDHA Design Review Committee.

Mr. Gary Everton, Everton Oglesby Architects, spoke in favor of the proposed amendment.

Ms. Beehan acknowledged the encouragement of pedestrian uses included in this proposal.

Mr. Loring mentioned the parking was adequate for this development.

Mr. Loring moved and Ms. Nielson seconded the motion, which passed unanimously, to approve and amend the Crown SP. (8-0)

Resolution No. RS2007-180

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-161U-09 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. conditions of approval shall constitute the amended plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the CF zoning districts at the effective date of this ordinance, which must be shown on the plan.
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6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
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The proposed request to amend the Crown SP to modify the number of parking spaces from 1,189 spaces to that required by the Core Frame (CF) zoning district will ensure that an appropriate number of parking spaces is provided without requiring every reduction required for building design from having to go back to Council.”